

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA,

v.

TRADON MARQUEZ DRAYTON,

Defendant.

)
)
) Case No. 1:04CR00009-001
)

) **ORDER**
)

) By: James P. Jones
) United States District Judge
)

The defendant has submitted a “Motion to Dismiss the Indictment” (ECF No. 624), alleging among other things that the Indictment fails to state an offense for which he could be prosecuted. Based on the nature of the defendant’s allegations, it is hereby **ORDERED** that “Motion to Dismiss the Indictment” (ECF No. 624) is CONSTRUED as a Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255, and the clerk SHALL redocket it as such.

ENTER: May 18, 2016

/s/ James P. Jones
United States District Judge